



*United States Attorney  
Southern District of New York*

FOR IMMEDIATE RELEASE  
OCTOBER 10, 2003

CONTACT: U.S. ATTORNEY'S OFFICE  
MARVIN SMILON, HERBERT HADAD,  
MICHAEL KULSTAD  
PUBLIC INFORMATION OFFICE  
(212) 637-2600

**U.S. SUES NATURE'S FARM PRODUCTS FOR EVADING MILLIONS  
IN CUSTOMS DUTIES IN ANTI-DUMPING SCHEME;  
BANK OF CHINA - NEW YORK BRANCH AGREES TO PAY  
\$5.25 MILLION IN DAMAGES**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, announced today that the Bank of China - New York Branch has agreed to pay \$5.25 million to settle the allegations of a civil suit filed today by the United States under the False Claims Act alleging a conspiracy to defraud the Bureau of Customs and Border Protection. The other defendants in the civil suit are a mushrooms importer, Nature's Farm Products, Inc., its officers Dennis Choi and Peter Pizzo, its Canadian packer and importer, Ravine Foods, Inc. and Aliments Heritage, Inc., respectively.

The Government's complaint alleges that, from December 1998 through June 2000, the defendants violated the False Claims Act by submitting "reverse false claims" at the U.S.-Canadian border: Customs forms and certifications that falsely declared that the mushrooms being imported into the United States were Canadian in origin, rather than Chilean, to avoid payment of the

antidumping and other applicable duties. In particular, the complaint alleges that Nature's Farm and its officers, in an effort to evade a U.S. Department of Commerce ruling imposing antidumping duties of 148% on brined mushrooms from Chile, carried out a scheme to export its brined mushrooms from Chile to Canada, where the mushrooms were simply repackaged at Ravine Foods' facility. There, according to the complaint, the mushrooms were falsely labeled "Product of Canada," and, with false documentation prepared by Heritage, imported into the United States duty-free. The Bank of China - New York Branch bankrolled the scheme, the complaint alleges, in the hope that Nature's Farm's successful importation and sale of the falsely labeled mushrooms would reduce its outstanding indebtedness to the Bank. As a result of the scheme, the defendants evaded millions of dollars in antidumping and other Customs duties.

The Government has asked United States District Judge SIDNEY H. STEIN to approve the settlement with the Bank of China - New York Branch.

Mr. COMEY thanked the Bureau of Customs and Immigration Enforcement for their assistance in this investigation. COMEY also said the investigation is continuing.

Assistant United States Attorney DAVID J. KENNEDY is in charge of the case.

###